

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

LUIS DE LA CRUZ,)	
)	
Petitioner,)	
)	
vs.)	No. CIV-16-304-C
)	
JOHN B. FOX, Warden,)	
)	
Respondent.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Charles B. Goodwin, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Goodwin entered a Report and Recommendation on December 22, 2016, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and law are accurately set out in the Magistrate Judge's Report and Recommendation and there is no purpose to be served in repeating them yet again. In his objection, Petitioner raises no issue of fact or law not fully and accurately addressed and rejected by the Magistrate Judge.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge (Dkt. No. 23), and for the reasons announced therein, this Petition for Writ

of Habeas Corpus, the Amended Petition for Writ of Habeas Corpus are dismissed without prejudice. Any pending motion is stricken as moot.

IT IS SO ORDERED this 31st day of January, 2017.



ROBIN J. CAUTHRON
United States District Judge